

**THIRTY-SEVENTH DAY.**

Senate Chamber,  
Austin, Texas.

Wednesday, March 2, 1921.

The Senate met at 9:30 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant-Governor Lynch Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Harp.
Baugh.	Hertzberg.
Bledsoe.	Lewis.
Buchanan.	McMillin.
Carlock.	McNealus.
Clark.	Murphy.
Cousins.	Page.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.

Absent.

Parr. Suiter.

Prayer by the chaplain.

Pending the reading the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

(See Appendix for petitions and memorials and standing committees.)

**Bills and Resolutions.**

(By Unanimous Consent.)

By Senator Clark.

S. B. No. 328, A bill to be entitled "An Act to amend Section 1, Chapter 15, Local and Special Laws of the State of Texas, passed by the 36th Legislature at its 3rd called session creating the Garwood Independent School District, in Colorado County, increasing the area of said district on the West Side of the Colorado River so as to include within said district and in addition to the territory already contained therein the following described territory, set out within the hereinafter described field notes; prescribing the method of changing the boundaries of said District, and defining the boundaries of said School District and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Harp.

S. B. No. 329, A bill to be entitled "An Act making an appropriation of the sum of twenty five hundred dollars or so much thereof as may be necessary, when supplemented by a like sum by Glenwood Cemetery Society or citizens, to erect a monument in Glenwood Cemetery, near Groesbeck, in Limestone County, Texas, to mark the graves of the heroes and martyrs who were slain by Indians in the defense of Fort Parker on May 18, 1836, and to create a commission for that purpose, and to erect such monument and for other purposes, and declaring an emergency."

Read first time and referred to Committee on Finance.

**Simple Resolution No. 64.**

Whereas there is scheduled at 11:30 this morning on the University Campus, a Push Ball game between the Freshmen and Sophomores, and Whereas, the pages of the Senate have been faithful in the performance of their duties and deserve to witness the game,

Therefore, be it resolved by the Senate that said pages be excused at 11:15 this morning for the remainder of the morning session in order that they may attend said game.

Lewis, Chairman; Baugh, Rogers, Woods, Davidson, McMillin, Dudley, Harp, Watts, Witt, Fairchild, Page Dorough, Williams, Bledsoe, Carlock, Cousins, Woods, Bailey, Clark, Murphy, Floyd, McNealus.

The resolution was read and adopted.

**Simple Resolution No. 65.**

Be it resolved, that the Elliotts be selected as the official photographers of the Thirty-seventh Senate to make the customary block picture; be it further

Resolved, that the picture be composed of the Governor, Lieutenant Governor and the thirty-one Senators, and no others; the picture to be without expense to the Senators or the Senate, except for the frame as heretofore provided for.

ROGERS.

The resolution was read and adopted.

### Simple Resolution No. 66.

Be it resolved by the Senate that one thousand additional copies of the Manual be printed in pamphlet form and placed in the State Library for distribution by the Librarian, the expense of same to be paid out of the contingent funds.

DOROUGH.

The resolution was read and adopted.

### House Bill No. 12.

The Chair laid before the Senate on second reading,

H. B. No. 12. A bill to be entitled "An Act to amend Chapter 8, Title 71, of the Revised Civil Statutes providing for the incorporation, organization, regulation and supervision of mutual life insurance companies in this State, and providing penalties for the violation of this Act."

The bill was read second time and passed to a third reading.

### House Bill No. 26.

The Chair laid before the Senate on second reading,

H. B. No. 26. A bill to be entitled "An Act to prevent fraud in the sale and disposition of the stocks, bonds, or other securities sold, or offered for sale, within the State of Texas, by any corporation, association, person, firm or partnership, company, broker or agent, by requiring investigation, examination and licensing the sale of such securities and of the companies, brokers and agents making such sales, and placing the administration of this Act in the hands of a Commission hereby created, to be known as the 'Texas Securities Commission,' composed of the Attorney General or one of his assistants, the State Treasurer and the Commissioner of Banking and Insurance, together with an Executive Officer, to be appointed by the Commission; prescribing the powers, duties and compensation of the Commission; defining what shall constitute violations of this Act and fixing the penalties and punishment therefor;

making appropriation for the support of the Commission; specifying that this law shall be known and cited as the Blue Sky Law of Texas; repealing all laws in conflict herewith, and specially the Act of the First Called Session of the Thirty-third Legislature, Chapter 32, of the published laws of said Session; and declaring an emergency."

The committee report, recommending a committee substitute for the bill, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Carlock the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 26 put on its third reading and final passage by the following vote:

Yeas—24.

Bailey.	Hall.
Baugh.	Harp.
Bledsoe.	Lewis.
Buchanan.	McMillin.
Carlock.	McNealus.
Clark.	Murphy.
Cousins.	Page.
Davidson.	Rogers.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Wood.
Floyd.	Woods.

Absent.

Darwin.	Suiter.
Hertzberg.	Witt.
Richards.	

Absent—Excused.

Parr.

The bill was read third time and passed finally.

### House Bill No. 93.

The Chair laid before the Senate on second reading,

H. B. No. 93. A bill to be entitled "An Act creating the LaGrange Independent School District, in Fayette County, Texas; defining its boundaries; providing for a Board of Trustees in said district; providing that the present Board of Trustees shall continue in office until the expiration of their terms and their successors shall have been elected and qualified as pro-

vided by General Law; conferring upon said district and its Boards of Trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts and the Board of Trustees thereof; declaring that all taxes or bonds heretofore voted upon the territory hereby incorporated as the LaGrange Independent School District shall remain in full force and effect; providing for the repeal of Chapter 2 of the Local and Special Laws, passed by the Third Called Session of the Thirty-sixth Legislature, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Clark the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 93 put on its third reading and final passage by the following vote:

Yeas—26.

Bailey.	Hall.
Baugh.	Harp.
Bledsoe.	Lewis.
Buchanan.	McMillin.
Carlock.	McNealus.
Clark.	Murphy.
Cousins.	Page.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Wood.
Floyd.	Woods.

Absent.

Hertzberg.	Witt.
Sulter.	

Absent—Excused.

Parr.

The bill was read third time and passed finally by the following vote:

Yeas—26.

Bailey.	Dudley.
Baugh.	Fairchild.
Bledsoe.	Floyd.
Buchanan.	Hall.
Carlock.	Harp.
Clark.	Lewis.
Cousins.	McMillin.
Darwin.	McNealus.
Davidson.	Murphy.
Dorough.	Page.

Richards.	Williams.
Rogers.	Wood.
Watts.	Woods.

Absent.

Hertzberg.	Witt.
Sulter.	

Absent—Excused.

Parr.

# House Bill No. 435.

The Chair laid before the Senate on second reading,

H. B. No. 435, A bill to be entitled "An Act to amend Article 7305 of the Revised Civil Statutes of the State of Texas, 1911, as the same was amended by Chapter 10 of the Acts of the Second Called Session of the Thirty-sixth Legislature, relating to the inspection of hides and animals by striking therefrom the word, 'Webb,' so as to include Webb among the counties subject to the provisions of Chapter 7, Title 125, of the Revised Civil Statutes of 1911, relating to regulations for the protection of stock raisers in certain localities, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Darwin the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 435 put on its third reading and final passage by the following vote:

Yeas—21.

Bailey.	Hall.
Baugh.	Harp.
Buchanan.	Hertzberg.
Carlock.	McMillin.
Clark.	McNealus.
Cousins.	Murphy.
Darwin.	Page.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Wood.
Floyd.	

Absent.

Bledsoe.	Rogers.
Davidson.	Sulter.
Lewis.	Witt.
Richards.	Woods.

Absent—Excused.

Parr.

The bill was read third time and passed finally by the following vote:

## Yeas—21.

Bailey.	Hall.
Baugh.	Harp.
Buchanan.	Hertzberg.
Carlock.	Lewis.
Clark.	McMillin.
Cousins.	McNealus.
Darwin.	Murphy.
Davidson.	Page.
Dudley.	Williams.
Fairchild.	Wood.
Floyd.	

## Absent.

Bledsoe.	Suiter.
Dorough.	Watts.
Richards.	Witt.
Rogers.	Woods.

## Absent—Excused.

Parr.

## House Bill No. 301.

The Chair laid before the Senate on second reading.

H. B. No. 301, A bill to be entitled "An Act creating and incorporating Hale Center Independent School District, in Hale County, Texas.

The committee report was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Dudley the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 301 put on its third reading and final passage by the following vote:

## Yeas—24.

Bailey.	Floyd.
Baugh.	Hall.
Bledsoe.	Harp.
Buchanan.	Hertzberg.
Carlock.	Lewis.
Clark.	McMillin.
Cousins.	McNealus.
Darwin.	Murphy.
Davidson.	Page.
Dorough.	Williams.
Dudley.	Wood.
Fairchild.	Woods.

## Absent.

Richards.	Watts.
Rogers.	Witt.
Suiter.	

## Absent—Excused.

Parr.

The bill was read third time and passed finally by the following vote:

## Yeas—26.

Bailey.	Hall.
Baugh.	Harp.
Bledsoe.	Hertzberg.
Buchanan.	Lewis.
Carlock.	McMillin.
Clark.	McNealus.
Cousins.	Murphy.
Darwin.	Page.
Davidson.	Rogers.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Wood.
Floyd.	Woods.

## Absent.

Richards. Witt.

## Absent—Excused.

Parr. Suiter.

## House Bill No. 132.

The Chair laid before the Senate on second reading.

H. B. No. 132, A bill to be entitled "An Act to amend Chapter 85 of the Acts of the Regular Session of the Thirty-third Legislature, entitled 'An Act to provide the mode by which horses, mules, jacks, jennets and cattle may be prevented from running at large in subdivisions of Harris County, and repealing all laws in conflict herewith, and declaring an emergency.'"

The bill was laid on the table subject to call.

## House Bill No. 390.

The Chair laid before the Senate, on second reading,

H. B. No. 390, A bill to be entitled "An Act creating the Saint Jo Independent School District in Montague County, Texas, out of the territory known as the Saint Jo Independent School District in said County, defining its boundaries and providing for the election of trustees therefor, and

authorizing the board of trustees to levy, assess and collect special taxes; conferring upon the board of trustees plenary powers; providing authority to issue bonds for the purposes of purchasing building sites, and erecting, furnishing and equipping school buildings within the said district; to levy taxes therefor, and to pay current expenses for the support and maintenance of said school; providing for a board of equalization, and prescribing the duty and authority of said board, and further prescribing the duty and authority of said board of trustees, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Williams, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 390 put on its third reading and final passage by the following vote:

Yeas—26.

Bailey.	Hall.
Baugh.	Harp.
Bledsoe.	Hertzberg.
Buchanan.	Lewis.
Carlock.	McMillin.
Clark.	McNealus.
Cousins.	Murphy.
Darwin.	Page.
Davidson.	Rogers.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Wood.
Floyd.	Woods.

Absent.

Richards. Witt.

Absent—Excused.

Parr. Suiter.

The bill was read third time and passed finally by the following vote:

Yeas—26.

Bailey.	Dudley.
Baugh.	Fairchild.
Bledsoe.	Floyd.
Buchanan.	Hall.
Carlock.	Harp.
Clark.	Hertzberg.
Cousins.	Lewis.
Darwin.	McMillin.
Davidson.	McNealus.
Dorough.	Murphy.

Page.	Williams.
Rogers.	Wood.
Watts.	Woods.

Absent.

Richards. Witt.

Absent—Excused.

Parr. Suiter.

### House Bill No. 363.

The Chair laid before the Senate, on second reading,

H. B. No. 363, A bill to be entitled "An Act to create a more efficient and better road system for Brazos County, Texas; making county commissioners ex-officio road commissioners of their respective precincts; prescribing their duties of road overseers; providing a compensation of \$2.00 per day for overseers for each day's service per year in excess of five days; providing certain duties for county treasurer; providing for summoning of persons liable for road duty; providing that any person liable for road duty any year shall be exempt upon the payment of \$6.00 into the County Treasury; providing for money payment in lieu of work after summons and before date of work; providing for the condemning of any land necessary for road purposes; providing this Act is cumulative of the General Laws, and fixing penalties, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Harp, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 363 put on its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Dudley.
Baugh.	Fairchild.
Bledsoe.	Floyd.
Buchanan.	Hall.
Carlock.	Harp.
Clark.	Hertzberg.
Cousins.	Lewis.
Darwin.	McMillin.
Davidson.	McNealus.
Dorough.	Murphy.

Page.	Williams.
Richards.	Wood.
Rogers.	Woods.
Watts.	

Absent.

Witt.

Absent—Excused.

Parr.	Suiter.
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The bill was read third time and passed finally, by the following vote:

Yeas—27.

Bailey.	Harp.
Baugh.	Hertzberg.
Bledsoe.	Lewis.
Buchanan.	McMillin.
Carlock.	McNealus.
Clark.	Murphy.
Cousins.	Page.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Wood.
Floyd.	Woods.
Hall.	

Absent.

Witt.

Absent—Excused.

Parr.	Suiter.
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#### House Bill No. 188.

The Chair laid before the Senate, on second reading,

H. B. No. 188, A bill to be entitled "An Act to amend Sections 2, 11, 13, 14, 15, 25, and 30, Chapter 4, of the Special Laws of the Regular Session of the Thirty-fifth Legislature entitled 'An Act to create a more efficient road law for Llano County, Texas, and to provide for the appointment of a Superintendent of Public Roads, Highways and Bridges for Llano County, and to provide his qualifications, terms of office and salary, defining his duties and powers, and providing for punishment for violation of his duties; providing certain duties and powers of the Commissioners' Court of said county, and fixing the compensation of the commissioners for inspecting the roads in their respective precincts; providing for the appointment of Road Overseers, defin-

ing their duties, fixing their compensation for certain labor, and providing for the punishment for violation of their duties; providing for persons subject to road duty in Llano County, and persons summoned to work the roads in said county to have the right to relieve from the discharge of such duties upon the payment of specific sums of money herein stipulated, and providing for the accounting for and disposition to be made of the money so paid, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Baugh, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 188 put on its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Harp.
Baugh.	Hertzberg.
Bledsoe.	Lewis.
Buchanan.	McMillin.
Carlock.	McNealus.
Clark.	Murphy.
Cousins.	Page.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Wood.
Floyd.	Woods.
Hall.	

Absent.

Witt.

Absent—Excused.

Parr.	Suiter.
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The bill was read third time and passed finally by the following vote:

Yeas—28.

Bailey.	Harp.
Baugh.	Hertzberg.
Bledsoe.	Lewis.
Buchanan.	McMillin.
Carlock.	McNealus.
Clark.	Murphy.
Cousins.	Page.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Watt.
Floyd.	Wood.
Hall.	Woods.

**Absent—Excused.**

Parr.

Suiter.

**House Bill No. 357.**

The Chair laid before the Senate, on Second reading,

H. B. No. 357, A bill to be entitled "An Act to amend Section 12 of Chapter 95 of the Local and Special Laws of the State of Texas, passed at the Regular Session of the Thirty-third Legislature, which was an Act to create a road system for Navarro County, Texas, so as to more particularly define the membership of the Boards of Permanent Road Commissioners for road districts created in Navarro County, Texas.

The committee report was adopted. The bill was read second time and passed to a third reading.

On motion of Senator Woods, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 257 put on its third reading and final passage by the following vote:

**Yeas—28.**

Bailey.	Harp.
Baugh.	Hertzberg.
Bledsoe.	Lewis.
Buchanan.	McMillin.
Carlock.	McNealus.
Clark.	Murphy.
Cousins.	Page.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.

**Absent—Excused.**

Farr.

Suiter.

The bill was read third time and passed finally, by the following vote.

**Yeas—28.**

Bailey.	Darwin.
Baugh.	Davidson.
Bledsoe.	Dorough.
Buchanan.	Dudley.
Carlock.	Fairchild.
Clark.	Floyd.
Cousins.	Hall.

Harp.  
Hertzberg.  
Lewis.  
McMillin.  
McNealus.  
Murphy.  
Page.

Richards.  
Rogers.  
Watts.  
Williams.  
Witt.  
Wood.  
Woods.

**Absent—Excused.**

Farr.

Suiter.

**House Bill No. 241.**

The Chair laid before the Senate, on second reading,

H. B. No. 241, A bill to be entitled "An Act to repeal Chapter 60 of the Local and Special Laws of the Regular Session of the Thirty-sixth Legislature, approved March 13, 1919, creating a special road system for Falls County, and declaring an emergency."

The committee report was adopted. The bill was read second time and passed to a third reading.

On motion of Senator Witt, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 241 put on its third reading and final passage by the following vote:

**Yeas—28.**

Bailey.	Harp.
Baugh.	Hertzberg.
Bledsoe.	Lewis.
Buchanan.	McMillin.
Carlock.	McNealus.
Clark.	Murphy.
Cousins.	Page.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.

**Absent—Excused.**

Farr.

Suiter.

The bill was read third time and passed finally by the following vote:

**Yeas—28.**

Bailey.	Carlock.
Baugh.	Clark.
Bledsoe.	Cousins.
Buchanan.	Darwin.

Davidson.	McNealus.
Dorough.	Murphy.
Dudley.	Page.
Fairchild.	Richards.
Floyd.	Rogers.
Hall.	Watts.
Harp.	Williams.
Hertzberg.	Witt.
Lewis.	Wood.
McMillin.	Woods.

Absent—Excused.

Parr.	Sulter.
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#### House Bill No. 409.

The Chair laid before the Senate, on second reading.

H. B. No. 409. A bill to be entitled "An Act to create a more efficient road system for Angelina County, making county commissioners ex-officio road commissioners; requiring additional bonds; providing for the improvement of roads and bridges by contract; providing that funds be used in precinct where collected; providing hours for labor; providing for the working of county convicts on the roads; prescribing the duties of road overseers; providing for the payment of a specified sum of money in lieu of road work; providing a penalty for overseers who fail or refuse to perform their duties under this law; providing a penalty for road hands who fail or refuse summons to do good road work; providing for reports by road overseers; providing for the condemnation of land for road purposes; providing for compensation of county commissioners when acting as road commissioners, and declaring an emergency."

The bill was laid on the table subject to call.

#### House Bill No. 336.

The Chair laid before the Senate, on second reading.

H. B. No. 336. A bill to be entitled "An Act to amend Chapter 72 of the Local and Special Laws of the Third Called Session of the Thirty-sixth Legislature, creating the Dalhart Consolidated Independent School District in Dallam and Hartley counties, and declaring an emergency."

The bill was laid on the table subject to call.

#### House Bill No. 464.

The Chair laid before the Senate, on second reading.

H. B. No. 464. A bill to be entitled "An Act creating and incorporating Cone Independent School District in Crosby County, Texas; defining the boundaries thereof; providing for a board of trustees, etc., and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Bledsoe, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 464 put on its third reading and final passage by the following vote:

Yeas—28.

Bailey.	Harp.
Baugh.	Hertzberg.
Bledsoe.	Lewis.
Buchanan.	McMillin.
Carlock.	McNealus.
Clark.	Murphy.
Cousins.	Page.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.

Absent—Excused.

Parr.	Sulter.
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The bill was read third time and passed finally by the following vote:

Yeas—28.

Bailey.	Harp.
Baugh.	Hertzberg.
Bledsoe.	Lewis.
Buchanan.	McMillin.
Carlock.	McNealus.
Clark.	Murphy.
Cousins.	Page.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.



Absent—Excused.  
Farr. Suiter.

**House Bill No. 463.**

The Chair laid before the Senate, on second reading,

H. B. No. 463, A bill to be entitled "An Act amending Chapter 39, Local and Special Laws passed at the Third Called Session of the Thirty-sixth Legislature, approved June 17, 1920, creating the Lorenzo Independent School District in Crosby and Lubbock Counties, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Bledsoe, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 463 put on its third reading and final passage by the following vote:

Yeas—28.

Bailey.	Harp.
Baugh.	Hertzberg.
Bledsoe,	Lewis.
Buchanan.	McMillin.
Carlock.	McNealus.
Clark.	Murphy.
Cousins.	Page.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.

Absent—Excused.

Parr. Suiter.

The bill was read third time and passed finally, by the following vote:

Yeas—28.

Bailey.	Fairchild.
Baugh.	Floyd.
Bledsoe,	Hall.
Buchanan.	Harp.
Carlock.	Hertzberg.
Clark.	Lewis.
Cousins.	McMillin.
Darwin.	McNealus.
Davidson.	Murphy.
Dorough.	Page.
Dudley.	Richards.

Rogers. Witt.  
Watts. Wood.  
Williams. Woods.

Absent—Excused.

Parr. Suiter.

**Message from the House.**

Hall of the House of Representatives,  
Austin, Texas, March 2, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has concurred in Senate amendments to House Joint Resolution No. 11, by vote of 117 yeas, and 4 nays.

The House requests the return of Senate Joint Resolution No. 1, for further consideration.

Respectfully submitted,

N. K. BROWN,

Chief Clerk House of Representatives.

**Senate Joint Resolution No. 1.**

Senator McNealus moved that the request of the House for the return of Senate Joint Resolution No. 1, for further action, be granted.

The motion was adopted.

**House Bill No. 424.**

The Chair laid before the Senate on second reading.

H. B. No. 424, A bill to be entitled "An Act creating the Woodville Independent School District, in Tyler County, Texas; defining its boundaries; providing for a Board of Trustees in said independent school district; repealing all laws in so far as they conflict herewith, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Cousins the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 424 put on its third reading and final passage by the following vote:

## Yeas—28.

Bailey.	Harp.
Baugh.	Hertzberg.
Bledsoe,	Lewis.
Buchanan.	McMillin.
Carlock.	McNealus.
Clark.	Murphy.
Cousins.	Page.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.

## Absent—Excused.

Parr.	Suiter.
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The bill was read third time and passed finally by the following vote:

## Yeas—28.

Bailey.	Harp.
Baugh.	Hertzberg.
Bledsoe,	Lewis.
Buchanan.	McMillin.
Carlock.	McNealus.
Clark.	Murphy.
Cousins.	Page.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.

## Absent—Excused.

Parr.	Suiter.
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## House Bill No. 466.

The Chair laid before the Senate on second reading,

H. B. No. 466, A bill to be entitled "An Act to establish and redefine Rugby Common School District No. 40 of Red River County, Texas; to validate election heretofore held in said district for local taxes for the further maintenance of public free schools in said district; to validate election heretofore held in said district for the issuance of schoolhouse bonds in said district; to authorize the Attorney General of Texas to be governed by the metes and bounds as defined in this Act in passing on the bond record made by virtue of said election for the issuance of said schoolhouse bonds;

providing that said Rugby Common School District No. 40 in Red River County, Texas, shall be under the General Laws of Texas with respect to common school districts when not in conflict with this Act, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Floyd the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 466 put on its third reading and final passage by the following vote:

## Yeas—29.

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe,	McMillin.
Buchanan.	McNealus.
Carlock.	Murphy.
Clark.	Page.
Cousins.	Parr.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.
Harp.	

## Absent—Excused.

Suiter.

The bill was read third time and passed finally by the following vote:

## Yeas—29.

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe,	McMillin.
Buchanan.	McNealus.
Carlock.	Murphy.
Clark.	Page.
Cousins.	Parr.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.
Harp.	

## Absent—Excused.

Suiter.

**House Bill No. 336.**

Senator Bledsoe here called from the table H. B. No. 336. (See former proceedings of today for caption.)

The committee report was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Bledsoe the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 336 put on its third reading and final passage by the following vote:

**Yeas—29.**

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	McNealus.
Carlock.	Murphy.
Clark.	Page.
Cousins.	Parr.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.
Harp.	

**Absent—Excused.**

Suiter.

The bill was read third time and passed finally by the following vote:

**Yeas—29.**

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	McNealus.
Carlock.	Murphy.
Clark.	Page.
Cousins.	Parr.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.
Harp.	

**Absent—Excused.**

Suiter.

**House Bill No. 132.**

Senator Murphy called from the

table H. B. No. 132. (See former proceedings of today for the caption.)

The committee report was adopted.

Senator Murphy offered the following two amendments, separately, which were adopted:

Amendment No. 1.: Amend H. B. No. 132 by striking out the caption and inserting in lieu thereof the following:

"An Act to amend Chapter 85 of the Acts of the Regular Session of the Thirty-third Legislature, as amended by Chapter 46 of the Acts of the Regular Session of the Thirty-sixth Legislature of the Local and Special Laws, entitled, 'An Act to provide the mode by which horses, mules, jacks, jennets and cattle may be prevented from running at large in subdivisions of Harris County, and repealing all laws and parts of laws in conflict therewith, and declaring an emergency,' by providing therein that no subdivision of Harris County so described, including an incorporated city or town, shall extend more than five (5) miles beyond the limits of said incorporated city or town; and repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

**MURPHY.**

Amendment No. 2. Amend H. B. No. 132 by striking out all after the enacting clause and inserting in lieu thereof the following:

"Section 1. Upon the written petition of twenty (20) freeholders of any subdivision of Harris County, as may be described in the petition and defined by the Commissioners' Court of Harris County, which subdivision, however, if it shall include any incorporated city or town, shall not extend more than five (5) miles beyond the corporate limits thereof, the Commissioners' Court of said county shall order an election to be held in such subdivision of said county as may be described in the petition and defined by the Commissioners' Court on the day named in the order, for the purpose of enabling the freeholders of such subdivision of Harris County as may be described in the petition and defined by the Commissioners' Court to determine whether horses, mules, jacks, jennets and cattle shall be permitted to run at large in such subdivision of Harris County, as may be described in the petition and defined by the Commissioners' Court.

"Sec. 2. Upon the filing of such petition the order of the Commissioners'

Court thereon, the holding of such election, the return thereof, and all other action in respect thereto shall be as prescribed in the General Law, Title 124, Chapter 5, of the Revised Statutes of Texas, of 1911.

"Sec. 3. All laws and parts of laws in conflict herewith are repealed.

"Sec. 4. The fact that there is no law excluding incorporated cities and towns from the subdivision of Harris County, to vote upon the question as to whether stock shall be permitted to run at large in such subdivisions, creates an emergency and an imperative public necessity that the constitutional rule requiring all bills to be read on three (3) several days be suspended, and it is so ordered that the said rule be suspended and that this Act shall take effect and be in full force from and after its passage, and it is so enacted."

#### MURPHY.

The bill was read second time and passed to a third reading.

On motion of Senator Murphy the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 132 put on its third reading and final passage by the following vote:

#### Yeas—29.

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	McNealus.
Carlock.	Murphy.
Clark.	Page.
Cousins.	Parr.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.
Harp.	

Absent—Excused.

Suiter.

The bill was read third time and passed finally by the following vote:

#### Yeas—29.

Bailey.	Darwin.
Baugh.	Davidson.
Bledsoe.	Dorough.
Buchanan.	Dudley.
Carlock.	Fairchild.
Clark.	Floyd.
Cousins.	Hall.

Harp.  
Hertzberg.  
Lewis.  
McMillin.  
McNealus.  
Murphy.  
Page.  
Parr.

Richards.  
Rogers.  
Watts.  
Williams.  
Witt.  
Wood.  
Woods.

Absent—Excused.

Suiter.

Morning call concluded.

#### Senate Bill No. 41.

The Chair laid before the Senate on third reading, as pending business.

S. B. No. 41, A bill to be entitled "An Act to repeal Chapter 160 of the Acts of the Regular Session of the Thirty-sixth Legislature, approved April 3rd, 1919, the same being 'An Act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including the fixing of a minimum wage; providing for an appropriation therefor and fixing penalties for violating this Act,' etc., and declaring an emergency."

Senator Murphy made the point of order that the postponement of the bill until today caused it to lose its place as pending business, but was merely on third reading.

The Chair overruled the point of order, holding that the bill was postponed pending business.

Senator Murphy moved to postpone the further consideration of the bill until Friday at 2 o'clock p. m.

Senator Clark moved the previous question on the motion to postpone and on the bill. The main question was ordered.

Action recurred on the motion to postpone and the motion was lost by the following vote:

#### Yeas—8.

Bledsoe.	Murphy.
Cousins.	Rogers.
Davidson.	Witt.
Hertzberg.	Wood.

#### Nays—18.

Buchanan.	Darwin.
Carlock.	Dorough.
Clark.	Dudley.

Floyd.	Page.
Hall.	Parr.
Harp.	Richards.
Lewis.	Watts.
McMillin.	Williams.
McNealus.	Woods.

Absent.

Fairchild.

Absent—Excused.

Suiter.

(Pair Recorded.)

Senator Baugh (present), who would vote yea, with Senator Bailey (absent), who would vote nay.

The bill was then passed finally by the following vote:

Yeas—21.

Buchanan.	McNealus.
Carlock.	Page.
Clark.	Parr.
Darwin.	Richards.
Dorough.	Rogers.
Dudley.	Watts.
Floyd.	Williams.
Hall.	Witt.
Harp.	Wood.
Lewis.	Woods.
McMillin.	

Nays—6.

Bledsoe.	Fairchild.
Cousins.	Hertzberg.
Davidson.	Murphy.

Absent—Excused.

Suiter.

(Pair Recorded.)

Senator Baugh (present), who would vote nay, with Senator Bailey (absent), who would vote yea.

## Senate Bill No. 51.

The Chair laid before the Senate on third reading,

S. B. No. 51, A bill to be entitled "An Act to provide a systematic method of road maintenance; the creation of a patrol system for the care and upkeep of the public roads and highways of the State; providing for the office of County Road Superintendent; defining his duties and prescribing the duties and liabilities of all persons subject to road duty; further providing that short term convicts of the State may

be worked upon the public roads; prescribing and fixing penalties for the violation or neglect of the duties here imposed; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read third time and passed finally.

## Senate Bill No. 109.

The Chair laid before the Senate on third reading,

S. B. No. 109, A bill to be entitled "An Act providing that freight charges on carloads of coal delivered at any point within the State of Texas, where railroad track weighing scales are owned, or used, or maintained at the point of delivery, or in the line of transit, shall be based upon the actual weight of said coal, prescribing the manner of weighing such coal; providing a penalty for violation of any provision of this Act, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read third time and Senator Page offered the following amendment:

Amend the bill by adding after Section 3 a new section, to be numbered Section 3a, to read as follows: "Section 3a. Nothing in this Act shall prevent the right of consignor and consignee to contract for weighing coal at point of shipment or at any other point desired and in case of such contract between the shipper and consignee the provisions of this Act shall not apply."

The amendment was adopted by unanimous consent.

The bill was finally passed.

## Senate Bill No. 14.

The Chair laid before the Senate on third reading,

S. B. No. 14, A bill to be entitled "An Act making it a felony for any ten or more persons to enter into an agreement by which it is sought to make less doubtful the result of any game of baseball or football, foot race or any other game or sport; prescribing penalties for violations hereof, and declaring an emergency."

The bill was read third time and failed of passage by the following vote:

## Yeas—10.

Bailey.	Dorough.
Buchanan.	Floyd.
Clark.	Hertzberg.
Cousins.	McNealus.
Davidson.	Murphy.

## Nays—13.

Baugh.	Page.
Carlock.	Richards.
Darwin.	Watts.
Dudley.	Williams.
Hall.	Wood.
Harp.	Woods.
McMillin.	

## Absent.

Fairchild.	Rogers.
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## Absent—Excused.

Suiter.

## (Pairs Recorded.)

Senator Bledsoe (present), who would vote nay, with Senator Lewis (absent), who would vote yea.

Senator Page (present), who would vote nay, with Senator Witt (absent), who would vote yea.

## Senate Bill No. 285.

The Chair laid before the Senate on second reading.

S. B. No. 285, A bill to be entitled "An Act to amend an Act to reorganize the Twenty-seventh and Thirty-fifth Judicial Districts of the State of Texas and to fix the time of holding court therein as passed by the Twenty-ninth Legislature, Chapter 37, and to amend an Act to reorganize the Thirty-fifth Judicial District; to name the counties composing the same; to fix the time of holding court therein, passed at the Second Called Session of the Thirty-fifth Legislature, being Chapter 3, and to amend an Act to reorganize the Twenty-seventh and Thirty-fifth Judicial Districts; to name the counties composing the Twenty-seventh and Thirty-fifth Judicial Districts; to fix the time of holding court in the counties of said districts, being Chapter 61 as passed by the Regular Session of the Thirty-third Legislature, and to reorganize the Thirty-fifth Judicial District; to name the counties composing the Thirty-fifth Judicial District; to fix the time of holding court in the counties of said Thirty-fifth Judicial

District; to provide for the extension and return of process issued out of said court; and to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read third time and passed finally.

## Senate Bill No. 288.

Unanimous consent was given Senator Bledsoe to call up, and the Chair laid before the Senate on second reading,

S. B. No. 288, A bill to be entitled "An Act providing that any corporation, partnership, joint stock association, trust estate engaged in business for profit, or any religious, educational, eleemosynary, charitable, benevolent institution or undertaking may be the beneficiary in any policy of insurance issued by any legal reserve life insurance company, and shall have an insurable interest in the proceeds of said policy to the extent of the full face of same, and further providing that all corporations, partnerships, joint stock associations or trust estates doing business for profit, or any religious, educational, eleemosynary, charitable or benevolent institution or undertaking now designated as beneficiaries in policies of insurance heretofore issued by a legal reserve life insurance company, shall have an insurable interest in the proceeds of said policies for the full face of said policies, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Bledsoe the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 288 put on its third reading and final passage by the following vote:

## Yeas—26.

Bailey.	Harp.
Bledsoe.	Hertzberg.
Buchanan.	McMillin.
Carlock.	McNealus.
Clark.	Murphy.
Cousins.	Page.
Darwin.	Parr.
Davidson.	Richards.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.

**Absent.**

Baugh.                      Rogers.  
Lewis.

**Absent—Excused.**

Suiter.

The bill was read third time and passed finally by the following vote:

**Yeas—25.**

Bailey.	Harp.
Bledsoe.	Hertzberg.
Buchanan.	McMillin.
Carlock.	McNealus.
Clark.	Murphy.
Cousins.	Page.
Darwin.	Parr.
Davidson.	Richards.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Wood.
Floyd.	Woods.
Hall.	

**Absent.**

Baugh.                      Rogers.  
Lewis.                      Witt.

**Absent—Excused.**

Suiter.

**Senate Joint Resolution No. 6.**

Senator Darwin called from the table, and the Chair laid before the Senate on second reading,

S. J. R. No. 6, relative to pay of members of the Legislature.

On motion of Senator Darwin the resolution was referred to Committee on Constitutional Amendments.

**Senate Bill No. 147.**

The Chair laid before the Senate on third reading,

S. B. No. 147, A bill to be entitled "An Act providing that when the person or property of anyone is injured or damaged through the negligence of another upon any public highway and by means of an automobile, truck or other motor driven vehicle owned by another and whether such automobile, truck or other motor vehicle is being operated at the time by the owner thereof or any other person, other than the person who, or whose property is injured or damaged, suit may be brought by the party in interest for

the injury so sustained or the damages so done, and if a judgment therefor is obtained it shall be a first lien upon such automobile, truck or other motor vehicle, any contract lien thereon to the contrary notwithstanding. Upon the filing of such suit such automobile, truck or other motor driven vehicle may be attached by the plaintiff the same as if the damages in said suit were liquidated damages and thereafter said automobile, truck or other motor driven vehicle shall be dealt with in such suit as in other suits involving attachments for liquidated damages under existing laws; and declaring an emergency."

The bill was read third time and Senator Carlock offered the following amendment:

Amend the caption to S. B. No. 147 by striking out the words, "or any other person other than the person who or whose property is injured or damaged," and substitute in lieu thereof the words, "or his agent or employe."

Also strike out the word, "first," before the word, "lien."

Also strike out the words, "any contract lien thereon to the contrary notwithstanding," and substitute in lieu thereof the following: "Provided that nothing in this Act shall affect prior liens on the automobile, truck or other motor vehicle."

The amendment was read and adopted by unanimous consent.

The bill was read third time and passed finally.

**Excused.**

On motion of Senator McNealus, Senator Suiter was excused for non-attendance, for this week and indefinitely.

**Reading of Declaration of Texas Independence.**

Here the Chair announced that the hour of 12 o'clock, high noon, had arrived, which hour had been previously designated for the Declaration of Texas Independence to be read in the Senate.

The document was read by the Secretary.

At the conclusion of the reading of the Declaration of Independence,

Senator Bailey moved that the document as framed, with the picture of General Sam Houston, be hung in the Senate Chamber under the picture of the late Governor Hogg.

The motion was adopted and the Sergeant-at-Arms was instructed to have the picture hung.

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**Recess.**

On motion of Senator Woods, the Senate, at 12:15 o'clock p. m., recessed until 3 o'clock today.

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**After Recess.**

The Senate was called to order by Lieutenant Governor Davidson.

Senator Clark in the Chair.

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**Senate Bill No. 230.**

The Chair laid before the Senate, on second reading,

S. B. No. 230.

The bill was laid on the table subject to call.

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**Senate Bill No. 177.**

The Chair laid before the Senate, S. B. No. 177.

On motion of Senator Baugh the bill was laid on the table subject to call.

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**Senate Bill No. 112.**

Senator Dorrough moved to reconsider the vote by which the Senate refused to finally pass Senate Bill No. 112, on yesterday.

The motion was adopted.

The Chair laid before the Senate on third reading,

S. B. No. 112, A bill to be entitled "An Act to amend Article 1121 of the Revised Civil Statutes of the State of Texas (prescribing the purposes for which private corporations may be organized) by adding thereto Section 81, authorizing the organization of holding companies for the purpose of dealing in the capital stock, bonds, mortgages, debentures, notes, and other securities and evidences of indebtedness of other corporations."

The bill, having been read third time, passed finally, by the following vote:

**Yeas—13.**

Bailey.	Harp.
Baugh.	McNealus.
Clark.	Murphy.
Davidson.	Page.
Dorough.	Parr.
Dudley.	Watts.
Floyd.	Witt.
Hall.	

**Nays—12.**

Bledsoe.	Hertzberg.
Buchanan.	McMillin.
Carlock.	Rogers.
Cousins.	Williams.
Darwin.	Wood.
Fairchild.	Woods.

**Absent.**

Lewis.	Richards.
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**Absent—Excused.**

Suiter.

Senator McNealus moved to reconsider the vote by which Senate Bill No. 112 was passed and table the motion to reconsider.

The motion prevailed.

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**Senate Bill No. 193.**

The Chair laid before the Senate, on second reading,

S. B. No. 193, A bill to be entitled "An Act for the purpose of promoting the public school interests of rural schools and those of small towns, of aiding the people to provide adequate school facilities for the education of their children, by the appropriation of two million dollars each year, or so much thereof as may be necessary, for the next two fiscal years, ending August 31, 1922, and August 31, 1923, respectively, as allowing the State Board of Education and the State Superintendent of Public Instruction to aid such schools in accordance with the conditions herein specified; providing how such schools shall be located and school buildings constructed, furnished and maintained; providing certain prerequisites for the granting of such aid, and providing that no school



having over five hundred scholastics shall receive such aid except in the case of bona fide consolidated schools situated in the country; giving preference to all school districts in which the available school funds, together with the local district tax will not maintain the schools six months in the year; providing that such schools that receive such aid shall have a certain percentage of attendance with exceptions; granting authority to the State Board of Education and the State Superintendent of Public Instruction to act for the best interests of the schools in cases and conditions not covered by the law; giving to the State Board of Education and the State Superintendent power to establish rules and regulations for the improvement of country schools receiving the benefits of a portion of the funds provided for in this Act; providing for the expenses of administration by action of the State Board of Education; providing for reports to be made to the State Superintendent of Public Instruction and to the State Board of Education; providing for the manner of payment and disbursements of all moneys granted under the provisions of this Act; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Senator Woods called for the reading of the bill in full, but pending the reading of the bill the request for its reading was withdrawn.

Pending discussion, Senator Floyd moved that the bill be made a special order for tomorrow morning after the conclusion of the morning call.

The motion was adopted.

#### Senate Bill No. 173.

The Chair laid before the Senate, on second reading,

S. B. No. 173.

On motion of Senator Witt, the bill was laid on the table subject to call.

#### Senate Bill No. 14.

Senator Carlock moved to reconsider the vote by which the Senate, on this morning, failed to finally

pass Senate Bill No. 14, and to spread the motion to reconsider on the Journal, and,

Senator Darwin moved to table the motion to reconsider, which motion was adopted by the following vote:

Yeas—14.

Baugh.	Parr.
Bledsoe.	Richards.
Darwin.	Rogers.
Dudley.	Watts.
Harp.	Williams.
McMillin.	Witt.
Page.	Wood.

Nays—13.

Bailey.	Floyd.
Carlock.	Hall.
Clark.	Hertzberg.
Cousins.	McNealus.
Davidson.	Murphy.
Dorough.	Woods.
Fairchild.	

Absent.

Buchanan. Lewis.

Absent—Excused.

Suiter.

#### Senate Bill No. 164.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 164, A bill to be entitled "An Act to amend Section 1 of Chapter 20, Page 137, passed at the Fourth Called Session of the Thirty-fifth Legislature, known as the Act limiting the right of suffrage to citizens of the United States, so as to hereafter read as follows, limiting meaning of 'citizens' and declaring an emergency."

The bill was read second time and passed to engrossment.

#### Senate Bill No. 327.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 327, A bill to be entitled "An Act empowering and authorizing the county commissioners' court of

Bexar County to establish, maintain, and operate a law library; authorizing the county commissioners' court to appropriate the sum of twenty thousand dollars (\$20,000.00) or so much thereof as they deem necessary to properly maintain and establish said library, such law library being established primarily for the benefit of the judges of the 37th, 45th, 57th, and 73rd Judicial Districts, the county judge of Bexar County, the county judge of Bexar County for civil Cases, the county judge of Bexar County for Criminal Cases; providing it shall be established in the county seat of Bexar County; providing all practitioners of the bar may use said library under conditions set out; providing county court shall select a law county judge as chairman, one disbarred judge and one reputable attorney; prescribing powers of said board including their powers of recommendation, said board to receive no compensation; providing for the appointment of a law librarian and assistants and bonds for faithful performance shall be required for one year unless sooner terminated; providing that any reputable practicing attorney of Bexar County may use the said library; authorizing said commissioners' court to receive gifts, title passing to county; setting out conditions of said gifts; providing county treasurer shall handle all funds as provided for other officials; providing that if any section shall be found unconstitutional it shall in no wise affect the remaining section; and declaring an emergency."

The committee report was adopted.

#### Senate Bill No. 175.

The Chair laid before the Senate, on second reading,

S. B. No. 175, A bill to be entitled "An Act changing the name of the Dallas County Criminal Court of Texas, to 'The Dallas County District Court of Domestic Relations,' and restricting the jurisdiction in part, and providing for the transfer of cases between the Fourteenth, Forty-fourth and Sixty-eighth Judicial District Courts; and providing for the Dallas County District Court of Domestic Relations to sit as a 'Juvenile Court'

and increasing the number and duties of the Probation Officers of Dallas County; and repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator McNealus, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 175 put on its third reading and final passage by the following vote:

#### Yeas—26.

Bailey.	Harp.
Baugh.	Hertzberg.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Page.
Clark.	Parr.
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Watts.
Dorough.	Williams.
Dudley.	Witt.
Floyd.	Wood.
Hall.	Woods.

#### Absent.

Fairchild.	McMillin.
Lewis.	

#### Absent—Excused.

Suiter.

The bill was read third time and passed finally by the following vote:

#### Yeas—24.

Bailey.	Hall.
Baugh.	Harp.
Buchanan.	Hertzberg.
Carlock.	McNealus.
Clark.	Murphy.
Cousins.	Parr.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Watts.
Dudley.	Witt.
Fairchild.	Wood.
Floyd.	Woods.

#### Nays—2.

Bledsoe.	Page.
	Absent.
Lewis.	Williams.
McMillin.	

## Absent—Excused.

Suiter.

## Senate Bill No. 327.

Senator Hertzberg here moved to reconsider the vote by which Senate Bill No. 327 was ordered engrossed, and the committee report adopted.

The motion was adopted.

The Chair laid before the Senate on second reading,

S. B. No. 327. (See former proceedings for caption in full.)

The Senate rule requiring committee reports to lie over for one day was suspended.

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Hertzberg, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 327 put on its third reading and final passage by the following vote:

## Yeas—26.

Bailey.	Hall.
Baugh.	Harp.
Bledsoe.	Hertzberg.
Buchanan.	McNealus.
Carlock.	Murphy.
Clark.	Page.
Cousins.	Parr.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Watts.
Dudley.	Witt.
Fairchild.	Wood.
Floyd.	Woods.

## Absent.

Lewis.	Williams.
McMillin.	

## Absent—Excused.

Suiter.

The bill was read third time and passed finally, by the following vote:

## Yeas—24.

Baugh.	Davidson.
Bledsoe.	Dorough.
Buchanan.	Dudley.
Carlock.	Fairchild.
Clark.	Floyd.
Darwin.	Hall.

Harp.
Hertzberg.
McNealus.
Murphy.
Page.
Parr.

Richards.
Rogers.
Watts.
Witt.
Wood.
Woods.

## Absent.

Bailey.
Cousins.
Lewis.

McMillin.
Williams.

## Absent—Excused.

Suiter.

## Senate Bill No. 312.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 312, A bill to be entitled "An Act to amend Article 1096d, Title 22, Chapter 17, Acts 1913, relating to the Home Rule Act conferring powers on cities having more than five thousand inhabitants, and by adding thereto the hereinafter powers upon such cities, to regulate the location, size, height, bulk and use of buildings within certain zones or districts and to divide such cities into zones or districts and to prescribe building lines and to authorize the creation of a Board of Review or Appeals as may be deemed advisable in any chapter adopted by any such city under the Home Rule provision of the Constitution, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator McNealus the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 312 put on its third reading and final passage by the following vote:

## Yeas—26.

Bailey.	Dorough.
Baugh.	Dudley.
Bledsoe.	Fairchild.
Buchanan.	Floyd.
Carlock.	Hall.
Clark.	Harp.
Cousins.	Hertzberg.
Darwin.	McNealus.
Davidson.	Murphy.

Page.	Watts.
Parr.	Witt.
Richards.	Wood.
Rogers.	Woods.

Absent.

Lewis.	Williams.
McMillin.	

Absent—Excused.

Suiter.

The bill was read third time and passed finally, by the following vote:

Yeas—24.

Bailey.	Hall.
Baugh.	Harp.
Buchanan.	Hertzberg.
Carlock.	McNealus.
Clark.	Murphy.
Cousins.	Page.
Darwin.	Parr.
Davidson.	Richards.
Dorough.	Rogers.
Dudley.	Watts.
Fairchild.	Wood.
Floyd.	Woods.

Present—Not Voting.

Bledsoe.

Absent.

Lewis.	Williams.
McMillin.	Witt.

Absent—Excused.

Suiter.

**Veto Message On Senate Bill No. 63.**

Governor's Office,  
Austin, Texas, March 2, 1921.  
To the Honorable Senate of the State of Texas.

Gentlemen: After due consideration of Senate Bill No. 63, I feel it my official duty to veto the same, which I have done, and in connection therewith make the following brief statement:

This bill amends Article 4703, Revised Statutes, by providing that causes of action in the nature of damage suits for personal injuries as to body, health or reputation which might have been instituted against the person, if alive, can be instituted and prosecuted against his administrators or executors as parties defendant and the suit prosecuted to judgment as

though such defendant or person had continued to live.

The effect of this bill is to authorize the institution of damage suits for personal injuries and other torts against the administrators and executors of the tort-feasor. This, I believe, would be contrary to sound public policy. I think the ends of public justice would demand that a person who does not open his mouth for an injury against a tort-feasor while said tort-feasor lives should not be permitted to do so after he is dead. In other words, I believe this bill would encourage the institution of fictitious and fraudulent suits for damages on account of alleged acts of defendant after his death which would not have been instituted had the defendant or tort-feasor lived.

Should this bill become a law it would be easy picking for some unscrupulous litigant to file suit for large damages against the estate of some man of wealth, stating in his petition for damages, that said man, while alive, did or said something that injured the health, the reputation or the body of the one filing suit, and, as the other party to whatever was said or done would be dead, it would be difficult to make a defense to the allegations.

When the person who is a party to an accident or incident fails to file suit for damages while the other party to the accident or incident is still alive, he should be estopped from doing so after the other party is dead. When death closes the lips of one, the law should not open the courthouse door to the other.

Believing, therefore, that this bill, should it become a law, would occasion much vexatious, harassing and unnecessary litigation, I return it with my veto.

Yours sincerely,

PAT M. NEFF,

Governor.

The above message was read, and Senator Bailey moved that the message be laid on the table subject to call.

**House Bill No. 371.**

(By Unanimous Consent.)

The Chair laid before the Senate on second reading,

H. B. No. 371, A bill to be entitled

"An Act to create and establish the County of Kenedy out of territory taken from the existing Counties of Cameron and Hidalgo; prescribing its area and boundaries; appointing Commissioners to organize said county and prescribing their duties; providing for a division of said county into Commissioners' and Justices' Precincts; providing for the holding of county and precinct elections for the election of county and precinct officers, and for the location of the county seat of said county; providing for the attaching of said county to the Judicial, Representative, Senatorial and Congressional Districts, and Supreme Judicial Districts; providing for the assessment and collection of taxes for the defraying of the expenses of organizing said county and for the payment of the proportion of the liabilities of the Counties of Cameron and Hidalgo, chargeable, respectively, on the territory taken from them; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The committee report, with committee amendments, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 371 put on its third reading and final passage by the following vote:

## Yeas—26.

Bailey.	Harp.
Bledsoe.	Hertzberg.
Buchanan.	McMillin.
Carlock.	Murphy.
Clark.	Page.
Cousins.	Parr.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.

## Absent.

Baugh.	McNealus.
Lewis.	

## Absent—Excused.

Suiter.

(President Pro Tem Page in the Chair.)

The bill was read third time and passed finally by the following vote:

## Yeas—27.

Bailey.	Harp.
Baugh.	Hertzberg.
Bledsoe.	McMillin.
Buchanan.	Murphy.
Carlock.	Page.
Clark.	Parr.
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Watts.
Dorough.	Williams.
Dudley.	Witt.
Fairchild.	Wood.
Floyd.	Woods.
Hall.	

## Absent.

Lewis.	McNealus.
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## Absent—Excused.

Suiter.

## Senate Bill No. 247.

The Chair laid before the Senate on second reading,

S. B. No. 247, A bill to be entitled "An Act regulating the manufacture and sale of ice cream or fruit ice cream or nut ice cream in this State; prohibiting the sale of such products except under their true name, and providing for inspection thereof; prescribing a standard for ice cream or fruit ice cream or nut ice cream, providing for the pasteurization of same, making it unlawful to sell as ice cream fruit ice cream or nut ice cream any product not conforming to standard prescribed in this Act; authorizing the inspection and method of compliance with the law in this respect; prescribing the duty of the State Health Officer and his chemist, inspectors and other persons appointed by him in the enforcement of the provisions of this Act; making it unlawful to obstruct the State Health Officer or those under his direction in exercising the powers conferred; providing penalties for violation of this Act and making accumulative of all laws and parts of laws in this State, and declaring an emergency."

Pending discussion, Senator Richards offered the following amendment:

Amend S. B. No. 247, page 1, Section 1, by striking out all of Section 1, beginning with line 29, and inserting in lieu thereof the following: "Who do

not manufacture ice cream for sale, either as retailers or wholesalers."

The amendment was lost.

The bill, having been read second time, failed of engrossment by the following vote:

Yeas—12.

Bailey.	Floyd.
Buchanan.	Hall.
Clark.	Hertzberg.
Davidson.	McNealus.
Dorough.	Murphy.
Fairchild.	Richards.

Nays—14.

Baugh.	Page.
Carlock.	Parr.
Cousins.	Watts.
Darwin.	Williams.
Dudley.	Witt.
Harp.	Wood.
McMillin.	Woods.

Absent.

Bledsoe.	Rogers.
Lewis.	

Absent—Excused.

Suiter.

#### Senate Bill No. 100.

The Chair laid before the Senate on second reading,

S. B. No. 100, A bill to be entitled "An Act to amend Article 6645, Title 115, Chapter 14, of the Revised Statutes of 1911 of the State of Texas, so as to abolish the defense of assumed risk as a bar to recovery in any suit against any corporation, receiver or person operating any railroad, street railway or interurban railway in this State for damages for death or for personal injuries to employes thereof, and further defining and regulating the doctrine of contributory negligence in such cases, and declaring an emergency."

The committee report, with amendments, was adopted.

Senator Woods offered the following amendment, which was read and adopted:

Amend committee amendment to S. B. No. 100, page 3, line 24, after the word, "servant," insert the words, "caused by the wrong or negligence."

The bill was read second time and passed to engrossment.

On motion of Senator Darwin the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 100 put on its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Harp.
Baugh.	Hertzberg.
Bledsoe.	McMillin.
Buchanan.	McNealus.
Carlock.	Murphy.
Clark.	Page.
Cousins.	Parr.
Darwin.	Richards.
Davidson.	Watts.
Dorough.	Williams.
Dudley.	Witt.
Fairchild.	Wood.
Floyd.	Woods.
Hall.	

Nays—1.

Rogers.

Absent.

Lewis.

Absent—Excused.

Suiter.

The bill was read third time and passed finally.

#### Senate Bill No. 223.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading,

S. B. No. 223, A bill to be entitled "An Act to amend Article 4694 of the Revised Civil Statutes of the State of Texas of 1911, as amended by Chapter 143 of the Acts of the Regular Session of the Thirty-third Legislature, approved April 7, 1913, by giving a cause of action for injuries resulting in death against (1) any person, association of persons, joint stock company, corporation, trustee or receiver; (2) the proprietor, owner, charterer, hirer, trustee, receiver, or other operator of any industrial or public utility plant, railroad, street railway, steamboat, stage coach, or other vehicle for the conveyance of goods or passengers, or any other machinery, where such injuries result from the negligence, wrongful act, neglect, unskillfulness, unfitness, or default of, such person,

association of persons, joint stock company, corporation, trustee, receiver, owner, charterer, hirer or operator, his, its or their, agent, or servants; providing that no agreement between an owner and any lessee, trustee or other operator of any vehicle for the transportation of passengers or goods, or any industrial or public utility plant, or other machinery, shall release such owner, lessee, trustee, or other person from any liability fixed by the provisions of this Act; repealing all laws in conflict herewith, providing that the invalidity of any provisions hereof shall not affect the remaining provisions, and declaring an emergency."

The committee report with committee amendment, was adopted.

Senator Bailey offered the following amendments, severally, which were read and adopted:

Amendment No. 1 to S. B. No. 223: Amend the bill by striking out in line 14, page 3, of the printed bill, between the words, "receiver" and "lessee," the word, "or," and by inserting after the word, "lessee," in said line, the words, "joint stock association," and also by striking out in line 16, page 3, of the printed bill, the word, "or," and inserting next after the word, "lessee," in said line, the words, "corporation or joint stock association."

Amendment No. 2 to S. B. No. 223: Amend the committee's amendment to the caption by inserting in line 19, page 5, of the printed bill, between the words, "corporation" and "or," the words, "joint stock association," and also by inserting said words, "joint stock association," after the word, "corporation," in line 22, page 5, of the printed bill.

Amendment No. 3 to S. B. No. 223: Amend the bill by striking out in line 12, page 2, of the printed bill, the words, "here used," and insert in lieu thereof the words, "used in this Act."

Amendment No. 4 to S. B. No. 223: Amend the bill by striking out Section 4 and inserting in lieu thereof the following:

"Section 4. The near approach of the close of the present Session of the Legislature, the crowded condition of the calendars of the House and Senate, and the importance of the enactment of this law to the people of the State, create an emergency and an imperative public necessity demanding the suspension of the rule requiring bills to be read on three several days in

each House, and said rule is hereby suspended, and that this Act take effect from and after its passage, and it is so enacted."

Senator Carlock offered the following amendment:

Amend S. B. No. 223, Section 1, at end of Subdivision 1, at the end of line 14, page 2, of the printed bill, by changing the period to a semicolon and adding the following: "Except counties and common and independent school districts."

The amendment was read and adopted by the following vote:

Yeas—16.

Baugh.	Parr.
Carlock.	Richards.
Cousins.	Suiter.
Dorough.	Watts.
Harp.	Williams.
Hertzberg.	Witt.
McMillin.	Wood.
Page.	Woods.

Nays—8.

Bailey.	Hall.
Clark.	McNealus.
Davidson.	Murphy.
Fairchild.	Rogers.

Present—Not Voting.

Buchanan.	Floyd.
	Absent.
Bledsoe.	Dudley.
Darwin.	Lewis.

Senator Dorough offered the following amendment:

Amend S. B. No. 223, page 2, by striking out all of line 12 after the word, "death," and all of lines 13 and 14.

The amendment was tabled on motion of Senator Bailey.

The bill was read second time and passed to engrossment.

On motion of Senator Bailey the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 223 put on its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Clark.
Baugh.	Cousins.
Bledsoe.	Darwin.
Buchanan.	Dorough.
Carlock.	Dudley.

Fairchild.	Richards.
Hall.	Rogers.
Harp.	Suiter.
Hertzberg.	Watts.
McMillin.	Williams.
McNealus.	Witt.
Murphy.	Wood.
Page.	Woods.
Parr.	

Absent.

Davidson.	Lewis.
Floyd.	

The bill was read third time and passed finally by the following vote:

Yeas—21.

Bailey.	Hertzberg.
Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Parr.
Clark.	Richards.
Cousins.	Rogers.
Dudley.	Williams.
Fairchild.	Witt.
Hall.	Wood.
Harp.	

Nays—5.

Dorough.	Watts.
Page.	Woods.
Suiter.	

Present—Not Voting.

Floyd.

Absent.

Darwin.	Lewis.
Davidson.	

**Concurrent Resolution No. 21.**

By Senator Carlock:

Be it resolved by the Senate, the House concurring, that the Governor and the Secretary of State be requested to return to the Senate, H. B. No. 324, for further consideration by the Senate, the same being a local school bill.

The resolution was read and adopted.

**Proposed Amendment to Senate Bill No. 111.**

(Printed by Order of the Senate.)

Amendment No. 2: Amend S. B. No. 111 by striking out all above the

enacting clause and substitute the following:

"An Act authorizing the Governor of Texas to appoint a commission composed of three citizens of the State of Texas, to purchase additional lands adjacent to the University property, in the City of Austin, for the use and benefit of the University of Texas; prescribing the duties of such Commission and describing the land out of which the purchases are to be made by the Commission; authorizing condemnation proceedings in event the land desired cannot be acquired at reasonable price without such condemnation; making appropriation for the purchase of the same and directing how and when the same shall be paid for and requiring a bond from certain citizens of Austin guaranteeing that the land can be acquired at an amount not exceeding the sum herein appropriated, and declaring an emergency."

WOOD.

Amend S. B. No. 111 by striking out all below the enacting clause and substitute the following:

"Section 1. The Governor of the State of Texas is hereby authorized and requested to appoint a commission of three citizens of this State to act as a Board to negotiate for and purchase of such lands adjacent to the University campus, in the City of Austin, out of the lands herein described for the use of the University of Texas, the title of said land to be taken in the name of the Board of Regents of the University of Texas, and their successors, and when the same is acquired, shall be subject to the management and control of the Board of Regents in the same manner and to the extent that the lands now held by the University of Texas, in the City of Austin, are held and controlled. The official name of said Board shall be 'The University Land Acquisition Board,' and said Board, when appointed, shall appoint its own presiding officer.

"Sec. 2. The sum of one million dollars is hereby appropriated out of any funds in the State of Texas not otherwise appropriated, to be expended by the Commission designated in Section 1 hereof for the purpose of paying for the lands acquired by the Commission under the terms of this Act.

"Sec. 3. The said Board shall purchase such lands as in their judgment is necessary and proper out of the following tracts of land to-wit:

"Tract One. Beginning at the south-



west corner of the tract of land willed by George W. Littlefield to the University of Texas for a girls' dormitory, at the intersection of Twenty-fourth Street and Whitis Avenue, thence north with the east line of said Whitis Avenue to Twenty-fifth Street; thence eastwardly to the intersection of Twenty-fifth Street and Speedway Street; thence south with said Speedway Street with the west line of said Speedway Street to a point 150 feet south of the north line of Block 7, in the City of Austin, and at the intersection of said Speedway and an alley running east, as same appears in the official map of the City of Austin; thence east with the north line of said alley to the intersection of said alley as extended with Waller Creek, in the center thereof; thence south with the meanders of said creek, and in the center of same, to the intersection of said creek with the south line of Twenty-fourth Street, in the City of Austin; thence west with said south line of Twenty-fourth Street to a point directly south of the place of beginning; thence north across said Twenty-fourth Street to the place of beginning.

"Tract Two. Beginning at the intersection of the south line of Twenty-fourth Street and Speedway, thence east with said south line of Twenty-fourth Street to the intersection of Twenty-fourth Street and Waller Creek and in the center thereof; thence south with the meanders of said creek to the intersection of said creek with the south line of Twenty-first Street, in the City of Austin; thence west with said south line of Twenty-first Street to the intersection of same with Speedway; thence north with said Speedway to the place of beginning.

"Tract Three. Beginning at the intersection of Speedway and the south line of Twenty-first Street, thence east with the said south line of Twenty-first Street to the intersection of same with the Waller Creek, and in the center thereof; thence southwardly with the meanders of said creek, and in the center thereof, to the intersection of said creek with the north line of Nineteenth Street, in the City of Austin; thence west with said north line of Nineteenth Street to the intersection of said Nineteenth Street with the east line of Speedway, in the City of Austin; thence north with said east line of Speedway to the place of beginning.

"Tract Four. Beginning at the intersection of the north line of Twenty-fourth Street with Waller Creek, in the center of said creek; thence east with said north line of Twenty-fourth Street to the intersection of said north line with the west line of Red River Street; thence south with said west line of Red River Street to the intersection of said street with the north line of Pelham Street; thence west with said north line of said Pelham Street to the intersection of same with Waller Creek, in the center of said creek; thence northwardly with the meanders of said creek and the center thereof to the place of beginning.

"Sec. 4. There is excepted from the lands herein described all property which now belongs to the University of Texas, and such as is now occupied by religious, charitable or eleemosynary institutions.

"Sec. 5. The Commission herein appointed shall not pay any sum whatever for any street or alley embraced in the description of the property herein described, and shall procure from the City of Austin the right to close or change such streets at such time as the Board of Regents, or their successors, may desire.

"Sec. 6. The Commission herein provided for shall take deeds in fee to each and every lot, block, piece or parcel purchased by them, said deed to be in the name of the Board of Regents of the University of Texas and their successors in office, for the use and benefit of the University of Texas and the State of Texas. The Board shall purchase such land upon agreement directly between them and the different owners and at the lowest price possible to be agreed upon between the Board and the owners, and if the purchase price of any lot or parcel of land cannot be agreed upon and the Board desires to procure the title thereto, they are hereby authorized and empowered and it shall be their duty to institute condemnation proceedings in the name of the State of Texas for the use of the University of Texas for such blocks or lands as may be desired, and shall proceed with said condemnation in the manner provided by law in the exercise of the power of eminent domain by railroad companies in acquiring right of ways.

"The Board is hereby authorized and empowered to contract for the property or any part thereof described in the tracts of land herein, either with

or without the improvements upon said land, but after the title of said property is acquired, the disposition of the improvements of said property shall vest in and be subject to the control of the Board of Regents and their successors, and they shall hold said lands and improvements thereon with the same authority and extent as the present lands in the City of Austin used and occupied and controlled by the University of Texas are held.

"Upon the acquisitions of the lands above described by the Board or Commission herein created, and the delivery of the same to the Board of Regents, the said Board of Regents and their successors shall have the right to lease the buildings and improvements situated upon the land acquired for such sum and for such period of time as in their judgment is best and the revenues derived therefrom shall be deposited and become a part of the available fund. It is expressly provided, however, that no lease of any of said property shall be for a longer term than ten years, and such lease shall specifically retain the right in the Board of Regents to terminate same on the first day of any January after the date said lease was executed. The Board of Regents is hereby expressly empowered to dismantle, tear down and dispose of or remove any and all improvements from such land as may be acquired under the provisions of this Act.

"Sec. 7. The purchase price of any and all land acquired under the provisions of this Act shall be paid directly to the owners of said land by vouchers drawn by the Comptroller of the State against the fund herein provided, upon the written order of at least two of the Commissioners appointed under the terms of this Act, and no voucher shall be drawn for the purchase of any of the land described in this Act unless the deed for the land from the owners, approved by the Attorney General, accompany the order of the Commissioners to the Comptroller for the voucher.

"Sec. 8. The appropriation herein made shall be entered upon the books of the Treasurer of the State of Texas to the credit of the University Land Acquisition Board.

"Sec. 9. The Commissioners herein provided for shall receive the sum of ten dollars per day for such time as they may be actually engaged in the

work incident to the acquisition of the property herein described not to exceed 150 days, and said Commissioners are hereby authorized to expend such sum as they may deem necessary for making or having made such survey and scientific investigation of the different tracts of land herein described as they may deem necessary, not to exceed five thousand dollars. All moneys expended or paid out as provided for in this section shall be paid out of the fund herein provided for and set apart.

"Sec. 10. It is hereby made the duty of the Commission provided for before purchasing any of the land herein described to require a guaranty bond from the Chamber of Commerce or citizens of Austin, guaranteeing to said Commission that each or all of the different tracts of land herein described can be secured by said Board for the purposes herein specified at a specific net price; said bond to be drawn by the Attorney General of the State of Texas in such words, tenor and effect as in his opinion will be binding and to be approved by him, it being the intention of this section that said Commission may determine what specific tract or tracts described in this Act they desire to purchase, and the reasonable price of said entire tract or tracts and to require, before entering into the purchase of any part of said tract or tracts, the Chamber of Commerce and the citizens of Austin to guarantee that the whole of said tract or tracts can be secured at a price not exceeding the sum to be fixed by said Commission. Said maximum price to cover all condemnation proceedings and the cost incident thereto that may be necessary for the acquisition of the property, and the Attorney General of the State of Texas is hereby authorized and directed to bring and prosecute all condemnation proceedings that may be necessary under the terms of this Act at the request of the Commission herein appointed.

"Sec. 11. The fact that the University campus is inadequate and it is impossible to facilitate the growth and expansion of the University, and that the land above described is adjacent to, available and particularly adapted for use as a University site in connection with the present campus, and the fact that it is now an opportune time for the purchase of lands herein mentioned, creates an emergency and an imperative public necessity that the

constitutional rule requiring bills to be read on three several days in each House be suspended, and that this Act shall take effect and be in force from and after its passage and such rule is hereby suspended, and it is so enacted."

WOOD.

Following is a proposed amendment to the above proposed amendment:

Tract One. Beginning in the southwest corner of a tract of land willed by George W. Littlefield to the University of Texas for a Girls' Dormitory, said point being at the intersection of the north line of Twenty-fourth Street and the east line of Whitis Avenue; thence north with the east line of said Whitis Avenue to the south line of Houston Street; thence eastwardly with the south line of Houston Street to the west line of Speedway Street; thence southerly with the west line of Speedway street to a point in the west line of Speedway Street directly west of the intersecting point of the east line of Speedway Street and the south line of Locust Street; thence easterly along the south line of Locust Street to the center of the channel of Waller Creek; thence south along the center of said Waller Creek with the meanders of said creek to the intersection of said creek with the south line of Twenty-fourth Street; thence westerly with the south line of Twenty-fourth Street to a point directly south of the place of beginning; thence north across said Twenty-fourth Street to the place of beginning.

Tract Two. Beginning at the intersection of the south line of Twenty-fourth Street and Speedway; thence east with said south line of Twenty-fourth Street to the intersection of Twenty-fourth Street and Waller Creek and in the center thereof; thence south with the meanders of said creek to the intersection of said creek with the south line of Twenty-first Street, in the City of Austin; thence west with said south line of Twenty-first Street to the intersection of same with Speedway; thence north with said Speedway to the place of beginning.

Tract Three. Beginning at the intersection of Speedway and the south line of Twenty-first Street; thence east with the said south line of Twenty-first Street to the intersection of same with Waller Creek and in the center thereof; thence southwardly with the

meanders of said creek and in the center thereof, to the intersection of said creek with the north line of Nineteenth Street, in the City of Austin; thence west with said north line of Nineteenth Street to the intersection of said Nineteenth Street with the east line of Speedway, in the City of Austin; thence north with said east line of Speedway to the place of beginning.

Tract Four. Beginning at the intersection of the north line of Twenty-fourth Street with Waller Creek, in the center of said creek; thence easterly with the said north line of Twenty-fourth Street to the intersection of said north line with the west line of Red River Street; thence south with said west line of Red River Street to the intersection of said street with the north line of Nineteenth Street; thence westerly with the north line of Nineteenth Street to the intersection of same with Waller Creek in the center of said creek; thence northwardly with the meanders of said creek and in the center thereof to the place of beginning.

WITT.

#### Adjournment.

On motion of Senator Clark the Senate, at 5:25 o'clock p. m., adjourned until 9:30 o'clock tomorrow morning.

#### APPENDIX.

##### Petitions.

The Chair offered and had read a telegram from Executive Committee Houston Young Men's Business League protesting against Forestry Bill.

Senator Carlock offered and had read a petition signed by Principal of all Fort Worth Schools, urging passage of School Appropriation Bill, and urging appropriation for rural schools.

Senator Bailey offered and had read a telegram signed by the Editor of Victoria Fact, protesting against the passage of the Hertzberg Medical Bill.

Senator Richards offered and had read two communications from Seguin, protesting against passage of the Hertzberg Medical Bill No. 249.

Senator Bailey offered and had read a protest from citizens of DeWitt County against the passage of Senate Bill No. 201.

The Chair, Lieutenant Governor Davidson, offered and had read a telegram from Dallas Optical Society, urging clarifying of Hertzberg Medical Bill with reference to its application to practice of optometry.

### Committee Reports.

Committee Room,

Austin, Texas, March 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 302, A bill to be entitled "An Act amending Chapter 8 of Title 86 of the Revised Civil Statutes of the State of Texas, of 1911, so as to make it unlawful for any workman, mechanic, carpenter or artisan to falsely claim or charge for services or materials which he did not perform or furnish; providing that any such mechanic, workman, carpenter or artisan shall have no lien upon any article, implement, utensil or vehicle for any such false claim for work or material; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

BAILEY, Chairman.

(Floor Report.)

Senate Chamber.

Austin, Texas, March 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

S. B. No. 286, A bill to be entitled "An Act to prevent any person, firm, association of persons, or corporation from furnishing water that is impure, unwholesome, unpotable and polluted, for domestic purposes; and to require every person, firm, association of persons, or corporation, public utility, municipality or other public body or institution which shall desire to furnish, and supply, water for domestic uses, to file with the State Board of Health, such plans, specifications and general statement;

providing for the investigation and sanitary survey of certain existing water systems by the State Board of Health; providing for schools or short courses of instruction for water works operators, attendants and others responsible for the distribution of water for human consumption and providing for their attending said schools or short courses; providing that anything done contrary to the provisions of this Act may be deemed a public nuisance, dangerous to health, and may be summarily abated in the manner provided by law; providing for an appropriation of \$15,000.00, or such part thereof as may be necessary, for the purpose of carrying out the provisions of this Act, for each year, ending August 31, 1922, and August 31, 1923, respectively, to be expended by the State Health Officer; providing certain duties of public officers under this Act, and the compensation they are to receive for their services; providing penalty for the violation of the provisions of this Act; providing for qualifications of Water and Sanitary Engineers; repealing all laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be printed in the Journal.

Hall, Chairman; Floyd, Clark, Rogers, McMillin, Bledsoe.

Committee Room,

Austin, Texas, March 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 328, A bill to be entitled "An Act to amend Section 1, Chapter 19, Local and Special Laws of the State of Texas, passed at the Thirty-sixth Legislature at its Third Called Session creating the Garwood Independent School District, in Colorado County, increasing the area of said district on the west side of the Colorado River so as to include within said district and in addition to the territory already contained therein the following described territory, set out within the hereinafter described field notes; prescribing the method of

changing the boundaries of said district, and defining the boundaries of said school district, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

(Floor Report.)

Senate Chamber,

Austin, Texas, March 1, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Finance, have had under consideration S. B. No. 329, A bill to be entitled "An Act making appropriations for a monument to the heroes and martyrs who were slain by the Indians in defense of Ft. Parker, etc.,"

We recommend that the bill do pass and be not printed.

Dudley, Chairman; Rogers, Hertzberg, Clark, Page, Carlock.

Committee Room,

Austin, Texas, March 1, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

S. B. No. 327, A bill to be entitled "An Act empowering and authorizing the county commissioners' court of Bexar County to establish, maintain and operate a law library; authorizing the commissioners' court to appropriate the sum of (\$20,000) or so much thereof as they may deem necessary,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

RICHARDS, Chairman.

Committee Report,

Austin, Texas, March 1, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

S. B. No. 344, A bill to be entitled "An Act to create a more efficient road system for Bee County, Texas; making the county commissioners of said county ex-officio road commissioners and prescribing their duties as such, etc., and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do pass, and be not printed.

McMillin, Chairman; Dudley, Williams, Davidson, Woods.

Committee Room,

Austin, Texas, March 1, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

S. B. No. 208, A bill to be entitled "An Act to create a more efficient road system for Stephens County, Texas, defining the duties and powers of the Commissioners' Court of Stephens County relative to roads and bridges of said county, and to empower the Commissioners' Court to establish rules, regulations and a system for maintenance, laying out, construction and repair of such roads and bridges, and to condemn property for such purposes and making such county commissioners ex-officio road commissioners of their respective districts, etc., and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do pass, but be not printed.

McMillin, Chairman; Dudley, Williams, Witt.

Senate Chamber,

Austin, Texas, March 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 181 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

Senate Chamber,

Austin, Texas, March 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 242 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

Senate Chamber,

Austin, Texas, March 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on En-

grossed Bills, have had Senate Bill No. 148 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

Senate Chamber,

Austin, Texas, March 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 285 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

Senate Chamber,

Austin, Texas, March 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 147 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

Senate Chamber,

Austin, Texas, March 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 51 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

Senate Chamber,

Austin, Texas, March 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 112 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

Senate Chamber,

Austin, Texas, March 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 288 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

Senate Chamber,

Austin, Texas, March 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 164 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

### THIRTY-EIGHTH DAY.

Senate Chamber,  
Austin, Texas,

Thursday, March 3, 1921.

The Senate met at 9:30 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Lynch Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Baugh.	McMillin.
Buchanan.	McNealus.
Clark.	Murphy.
Cousins.	Page.
Davidson.	Parr.
Dorough.	Rogers.
Dudley.	Sulter.
Fairchild.	Watts.
Floyd.	Williams.
Harp.	Wood.
Lewis.	Woods.

Absent.

Bailey.	Hall.
Bledsoe.	Hertzberg.
Carlock.	Richards.
Darwin.	Witt.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Murphy.

See Appendix for committee reports.

Excused.

Senator Hertzberg, for today and balance of week, on account of sickness, on motion of Senator Page.

### Bills and Resolutions.

(By Unanimous Consent.)

By Senator Parr:

S. B. No. 330, A bill to be entitled "An Act to aid the City of Corpus Christi in the construction of a sea wall or break water so as to protect said city from calamitous overflow, by donating to said city all the State ad valorem taxes, collected on property and from persons in Jim Wells, Jim Hogg, Brooks, Kleberg, Willacy and Duval Counties and by donating to said city all the State ad valorem taxes, collected on property and from persons in Nueces County not hereto-